

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
EXECUTIVE OFFICE OF THE MAYOR  
MAYOR'S OFFICE OF LEGAL COUNSEL  
Freedom of Information Act Appeal: 2016-10**

October 28, 2015

VIA REGULAR MAIL

Toby Evans

RE: FOIA Appeal 2016-10

Dear Mr. Evans:

I am writing in response to the appeal you sent to the Mayor under the Freedom of Information Act, in which you indicate that the D.C. Superior Court has failed to respond to your request for documents. Under the District of Columbia Freedom of Information Act (“D.C. FOIA”), the Mayor is authorized to review public records determinations made by a public body, with the exception of the Council of the District of Columbia. *See* D.C. Official Code § 2-537(a). The term “public body” means the Mayor, a District agency, or the Council of the District of Columbia. D.C. Official Code § 2-502. Accordingly, the D.C. Superior Court is not subject to the D.C. FOIA, and the Mayor has no jurisdiction to review your appeal.

Based on the foregoing, we hereby dismiss your appeal. This constitutes the final decision of this office. If you are dissatisfied with this decision, you may commence a civil action against the District of Columbia government in the Superior Court of the District of Columbia in accordance with the DC FOIA.

Sincerely,

/s/ Melissa C. Tucker

Melissa C. Tucker  
Associate Director